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सं. 20] नई दिल्ली, अगस्त 31—सितम्बर 6, 2014, शनिवार/भाद्र 9—भाद्र 15, 1936
No. 20] NEW DELHI, AUGUST 31—SEPTEMBER 6, 2014, SATURDAY/BHADRA 9—BHADRA 15, 1936

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके।
Separate Paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—खण्ड 3—उप-खण्ड (iii)
PART II—Section 3—Sub-section (iii)

केन्द्रीय अधिकारियों (संघ राज्य क्षेत्र प्रशासनों को छोड़कर) द्वारा जारी किए गए आदेश और अधिसूचनाएं
Orders and Notifications Issued by Central Authorities (other than the Administrations of Union Territories)

भारत निर्वाचन आयोग

ELECTION COMMISSION OF INDIA

नई दिल्ली, 27 अगस्त, 2014

New Delhi, the 27th August, 2014

आ.अ. 27.—लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 106क के अनुसरण में भारत निर्वाचन आयोग, 7-बीदर संसदीय निर्वाचन क्षेत्र तथा अन्यो से लोक सभा सदस्य श्री धर्म सिंह के निर्वाचन को चुनौती देते हुए श्री गुरुपदप्पा नागामारपल्ली द्वारा दायर की गई, कर्नाटक उच्च न्यायालय की निर्वाचन याचिका सं. 2009 का सं. 21 में दिनांक 18 जून, 2014 के आदेश को एतद्द्वारा प्रकाशित करता है।

O.N. 27.—In pursuance of Section 106a of the Representation of the People Act, 1951 (43 of 1951), the Election Commission of India hereby publishes the order dated 18th June, 2014 of the High Court of Karnataka in Election Petition No. 21 of 2009 filed by Shri Gurupadappa Nagamarpalli challenging the election of Sh. Daram Singh, a member of the Lok Sabha from 7-Bidar Parliamentary Constituency.

(आदेश अंग्रेजी भाग में छपा है।)

IN THE HIGH COURT OF KARNATAKA AT
BANGALORE

[सं. 82/कर्ना.-लोकसभा/(21/2009)/2014]

DATED THIS THE 18TH DAY OF JUNE, 2014

आदेश से,

BEFORE:

तपस कुमार, प्रधान सचिव

THE HON'BLE MR. JUSTICE A.S. PACHHAPURE
ELECTION PETITION NO. 21 OF 2009

Between:

Gurupadappa Nagmarpalli,
S/o. Sanganabasappa Nagmarpalli,
Aged 67 years,
R/o. Nagmarpalli,
Tuluk: Aurad [B],
District : Bidar.

....PETITIONER/S

[By Sri. Hemanth Kumar D, Adv. for
M/s. Pramila Assocs., Advs.]

and:

Dharam Singh,
S/o. Narayan Singh,
Aged about 70 years,
R/o. N.V. Layout,
S.B. Temple Road,
Gulbarga.

....RESPONDENT/S

[By Sri. H.D. Amarnathan &
Sri. B.M. Arun, Advs.]

This EP is filed u/Section 81 of the Representation of People's Act, 1951 praying to:

(a) Declare that the declaration of the result of respondent to the 7- Bidar Parliamentary Constituency is null and void.

(b) Declare that the respondent has committed the Corrupt practices u/Section 123(1), (6) and (7) r/w. Section 100(1) (b) of the R.P. Act.

(c) Name respondent as having committed corrupt practices u/Section 98 of the Representation of People Act and such other persons who have committed the corrupt practice.

(d) Declare that the election of the respondent is void u/Section 100(1) (d) (iv) of the R.P. Act.

(e) Declare that the use of EVMs by the Election Commission for the election to the 7- Bidar Parliamentary Constituency ultra vires the Constitution, the R.P. Act and conduct of Election Rules.

(f) Award costs of the petition.

(g) Grant such other relief or consequential reliefs as this Court deems fit in the facts and circumstances of the case.

This EP coming on for Hearing on I.A., this day the Court made the following:

ORDER

Learned counsel for the petitioner has filed a memo and submits that the election petition has become infructuous as the election period is elapsed and the respondent has contested and defeated in the recent election. Therefore, he has sought for dismissal of the election petition as infructuous.

In view of the memo filed and the submission made, the petition is dismissed as infructuous.

The security deposit of Rs. 2,000-00 shall be refunded to the petitioner.

In view of dismissal of the election petition as infructuous, Misc. Cvl. No. 21107/10 for rejection of election petition and Misc. Cvl. No. 21105/10 for striking down the pleadings do not survive for consideration and hence they are rejected.

[No. 82/KT-HP/(21/2009)/2014]

By Order,
TAPAS KUMAR, Principal Secy.